

Media and Information Literacy

Quarter 1 – Module 6: Legal, Ethical, and Societal Issues in Media and Information

This instructional material was collaboratively developed and reviewed by educators from public and private schools, colleges, and or/universities. We encourage teachers and other education stakeholders to email their feedback, comments, and recommendations to the Department of Education at action@deped.gov.ph.

We value your feedback and recommendations.

Lesson 1

Legal, Ethical, and Societal Issues in Media and Information

Go online and check the number of hate posts that you can see in your social media news feed. Recall if you have ever been confused about a product with an imitation because their design looked almost similar. How about recalling if your favorite song cover, movie, Netflix TV show, or Korean drama was blocked when you looked for it on YouTube or other online sites? How many of your friends have neglected their personal relationships and duties because of excessive or compulsive use of the Internet? Are you alike? These situations in new media may pose threats and risks to any individual. Therefore, you need to be media and information literate to avoid the possible risks of using the Internet. Being able to recognize and understand the issues in this module is a part of becoming not only a media and information literate individual but also a responsible digital citizen.

Digital citizenship is the “ability to find, access, use and create information effectively; engage with other users and with content in an active, critical, sensitive and ethical manner; and navigate the online and ICT environment safely and responsibly, being aware of one’s own rights” (UNESCO, 2016, p. 15 as cited in Shin, T.S. et al. 2019, p.19). Thus, understanding the issues in this module and their related legal, ethical, and societal implications can empower you to become more ready, resilient, respectful, and responsible users and creators in the digital world. In this module, you will learn about some of the most common issues in the use of media and information within your community, with a mindful path to digital citizenship.



What is It

Legal, Ethical and Societal Issues in Media and Information

With the growing online community in this new information age, people must know and understand their rights and responsibilities as media and information providers and consumers in order to become digital citizens. Significantly encompassing these rights and responsibilities are the issues of Intellectual Property, Fair Use, Netiquette, Internet Addiction, and Cyberbullying.

A. INTELLECTUAL PROPERTY (IP)



Image courtesy:
<https://www.wipo.int/portal/en/>

World Intellectual Property Organization (WIPO), the global forum for intellectual property services, policy, information, and cooperation, defined **Intellectual Property (IP)** as referring to the “creations of the mind, such as inventions; literary and artistic works; designs; and symbols, names, and images used in commerce” (World Intellectual Property Organization, 2016).

It can be classified into two categories namely, (1) **Industrial Property** which includes patents, trademarks, industrial designs and geographical indications and appellations of origin; and (2) **Copyright** which covers literary works (such as novels, poems, and plays), films, music, artistic works (e.g. drawings, paintings, photographs, and sculptures) and architectural design. Rights related to copyright include those of performing artists in their performances, producers of phonograms in their recordings, and broadcasters in their radio and television programs (WIPO, 2016).

In the Philippines, IP is protected under two laws – the *Intellectual Property Code (RA 8293)* and the *Cybercrime Prevention Act (RA 10175)*. Both laws protect intellectual property rights, allowing the rightful creators or owners of patents, trademarks, or copyrighted works to benefit from their own work or creation – may it be of moral or material interests. Violation of this law or one of the rights is called *infringement*.

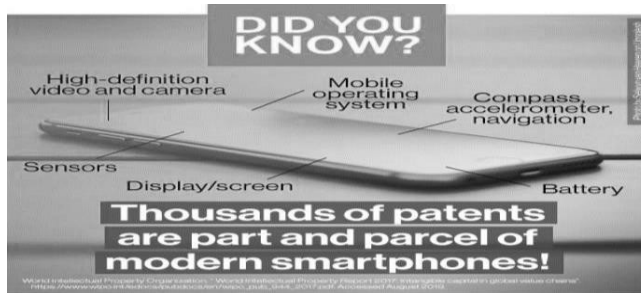
Types of Intellectual Property



Courtesy to:
<https://creativecommons.org/>

1. Copyright. It is a legal term used to describe the rights that creators have over their literary and artistic works. This covers works ranging from books, music, paintings, sculpture and films, to computer programs, databases, advertisements, maps and technical drawings (WIPO, 2016). Registration of copyrighted work or displaying of the copyright symbol may not be mandatory but it is recommended to emphasize that the author is claiming copyright protection in the work.

Nevertheless, the copyright law still protects the creator's work from the moment of creation and the owners do not lose this protection. To learn more about IP registration in the Philippines, visit www.ipophil.gov.ph.



Courtesy to www.ipophil.gov.ph

2. Patent. It is an exclusive right granted for an invention. It provides the patent owner with the right to consent on the invention or a way for others to use it. In return, the patent owner is responsible for making technical information about the invention available in the published patent document or in public (WIPO, 2016).

3. Trademark. It is a distinguished sign of goods or services of one enterprise from those of other enterprises. It can be compared to what craftsmen used in ancient times as “signature mark” on their product (WIPO, 2016). **TM** denotes that the owner of the mark is in the process of registration to indicate a claim of ownership, while **®** is only used for marks that have been granted registration.



Courtesy to https://commons.wikimedia.org/wiki/File:Red_trademark.svg



Courtesy to www.ipophil.gov.ph

4. Industrial Design. WIPO (2016) defines Industrial design as an ornamental or aesthetic aspect of an item. A design may consist of *three-dimensional* features such as the shape or surface of an article, or of *two-dimensional* features such as patterns, lines, or color.

An industrial design right protects only the appearance or aesthetic features of a product, whereas a patent protects an invention that offers a new technical solution to a problem. In principle, an industrial design right does not protect the technical or functional features of a product. Such features could, however, potentially be protected by a patent.

5. Geographical Indications and Appellations of Origin.

These are signs used on products possessing qualities, a status, or characteristics that are essentially attributable to that location of origin. Generally, a geographical indication includes the name of the place of origin of the goods (WIPO, 2016).



It is well known that Original Strawberry Jam is from Baguio.

Courtesy to: <https://commons.wikimedia.org>

Republic Act No. 8293 or Intellectual Property Code of the Philippines

The copyrighted works are under this Term of Protection (*Source: Official Gazette, 2012, section 213*)

COPYRIGHT	VALIDITY PERIOD	COPYRIGHT	VALIDITY PERIOD
LITERARY WORKS	During the lifetime of the author plus 50 years after death	Sound Recording	50 years from year recording took place
ART	25 years from the date of creation	Broadcast Recording	20 years from date of broadcast
PHOTOGRAPHIC WORK	50 years from publication	Trademark	Valid for 10 years and may be renewed for a periods of 10 years
AUDIO- VISUAL WORK	50 years from publication	Invention Patent	Valid for 20 years from filing date application

Intellectual property is essential in creating a culture of creativity, progress, and innovations as any content creator's exclusive rights to their own creation are secured and protected through the IP law. This means one's original work cannot be legally copied or used for profit. Otherwise, one can be penalized on grounds of infringement. Copyright law allows the owner to control access to his or her own work and consequently provides strong penalties for infringement of owners' rights. However, the law also includes certain exemptions to the rule and considerations in the use of the copyrighted materials from the owner's control, which are under the doctrine of *Fair Use*.

B. FAIR USE

Fair use is a legal principle stating that one can use a copyrighted work without a license for the following purposes: commentary, criticism, reporting, research, and teaching. Furthermore, the copyrighted material must observe conditions such as (1) amount and substantiality of the portion taken; (2) purpose and character of one's use; (3) nature of the copyrighted work; and (4) potential market effect (Stim, 2016). In general, one must own the majority of the new content, give full credit to the original source, and use the content for non-profit purposes to consider it fair use.



Courtesy to
<https://creativecommons.org/>

In order to clarify the terms and conditions in control of the creative work between the author and the general public, one needs permission from the copyright holder which is called a *license*. Some content creators choose to license their work more freely by giving their work a *Creative Commons* license or even putting their work in Public Domain. These **CC** licenses are copyright licenses providing a simple and standardized way to give the public permission to share and use the creative work. This is easier for both the author and the public compared to an agreement in traditional licenses which are more restricting. Creative Commons is an American non-commercial organization that aims to expand the range of creative works available for others to build upon and to share legally. The organization has released several copyright-licenses known as Creative Commons licenses free of charge to the public (CreativeCommons.org as cited in Ping, 2016).

Below are infographics about copyright, fair use, and creative commons.

Infographic 1: Copyright, Fair Use and Public Domain

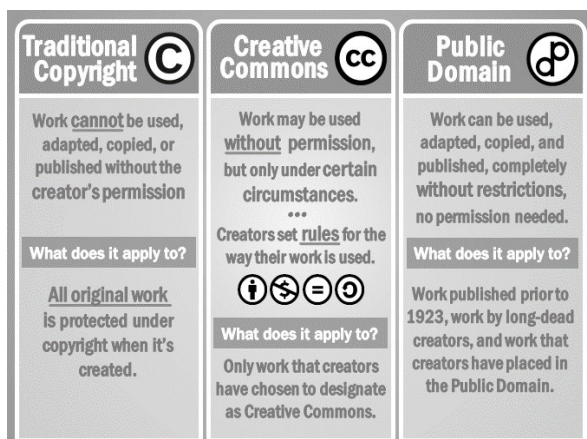


Image courtesy to:
<https://edu.gcfglobal.org/en/blogbasics/copyright-and-fair-use/1/>

Infographic 2: Using Creative Commons Content

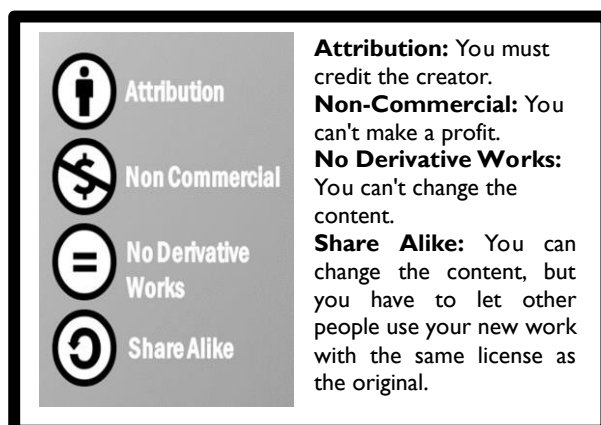


Image courtesy to:
<https://edu.gcfglobal.org/en/blogbasics/copyright-and-fair-use/1/>

C. NETIQUETTE

One of the pressing problems in the digital age is the lack of basic manners in using the Internet. Seemingly overwhelmed with the liberty one enjoys in digital media, online users tend to forget that they are still interacting with real people, although in the virtual world or cyberspace. To help minimize mistakes, untoward encounters, and unkind experiences online, understanding and applying the rules in Netiquette is necessary.

Netiquette or network etiquette is a set of rules for behaving properly online (Shea, 1997 as cited in E-Learning Guide on Media and Information Literacy, 2017). Here are the *Ten Core Rules of Netiquette* by Virginia Shea.

1 Remember the Human

Your written words are read by real people, all deserving of respectful communication.

2 Adhere to the same standards of behavior online that you follow in real life

Be ethical and do not break the law.

3 Know where you are in cyberspace

"Netiquette varies from domain to domain." Get a sense of how the people who are already there appropriately and properly act.

4 Respect other people's time and bandwidth

You are not the center of cyberspace. Be mindful of other's time

5 Make yourself look good online

You will be judged by the *quality of your writing thus be cautious of your language. Don't flame-bait nor swear. Make sense with what you're talking about.*

6 Share expert knowledge

Courteously sharing your knowledge is fun.

7 Keep flame wars under control

"Flaming is what people do when they express a strongly held opinion without holding back any emotion." Don't feed the flames; extinguish them by guiding the discussion back to a more productive direction.

8 Respect other people's privacy

9 Don't abuse your power

Do not take advantage of anyone.

10 Be forgiving of other people's mistakes

No one is perfect so be kind. If needed, be polite in correcting others.

Simply put, Netiquette reminds you to respect and protect your own privacy, as well as others'. You must "self-reflect before you self-reveal" (Common Sense Education). In practicing the rules of Netiquette, you must consider being careful in managing your virtual self and digital footprints, as well as being mindful of data privacy.

Virtual Self is how you present yourself on online platforms. Whatever you say or do on the Internet can be viewed and others can easily pass judgment without even knowing who you are outside the virtual environment.

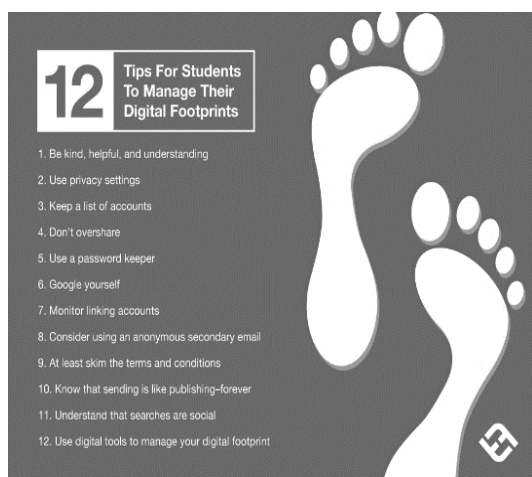


Image courtesy to <https://www.teachthought.com>

Digital Footprint

Digital footprint is any data record of the things you do online. Anything on the Internet with your name creates a trail of data about you. This could be information in your personal website, any activity in social media, your browsing history, online subscription, and the like. Because of this, you must be vigilant in sharing personal information to avoid potential dangers such as sharing may pose. There have been viral videos with private or sensitive content because their owners could have been careless with their digital footprint. Your digital footprint can remain on the Internet for life.

Data Privacy

Not only virtual self and digital footprint are incorporated in netiquette. Respecting and managing *data privacy* is also a responsible behavior on the Internet. The respect should be mutual between the media user and the producer. Data privacy or the fundamental right of an individual to protect private information from disclosure to information and communication systems is under *Republic Act No. 10173 or the Data Privacy Act of 2012*. If precautionary measures are not observed in sharing personal information, your online security can be compromised.

Digital Divide

As part of being mannerly towards others online, it is also helpful to know that not everyone has the same access to high-speed internet, or even so, regular digital access, or advanced digital knowledge so we are called to be understanding, helpful, and polite to the digitally disadvantaged. This digital inequality or gap between groups in terms of knowledge, usage, and access to ICT due to circumstances like location, income, and age is called *Digital Divide*.

D. COMPUTER ADDICTION AND CYBERBULLYING

With the growing industry of digital media, many media users have become vulnerable to improper use of the Internet. Computer addiction and cyberbullying are not only local problems but they are globally prevalent. These issues may come

as a result of an intention, or a habit that has gone worse. If not addressed, these issues could distress one's health and relationships.

Computer Addiction

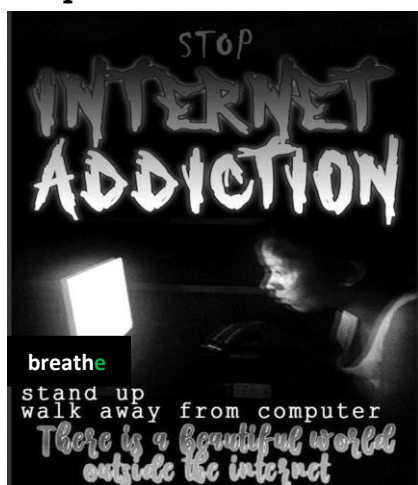


Photo Credits to Barlam, J., Limpiado, E. & Baguinaon, P.

A study by Hootsuite and WeareSocial in 2019 finds that the Philippines ranks as the most internet-addicted country (Zulueta, 2019). The world internet usage index lists the Philippines' average time spent on the Internet as 10 hours a day. So, how do we know if we have addiction? Computer Addiction is the “overdependence or a damaging need to do something on computer or internet” (E-Learning Guide on Media and Information Literacy). Its impact could be linked to sleep deprivation, anxiety and even depression. Setting a limit and immersing yourself with outside activity can obviate addiction. Remember, anything beyond moderation is not good. To put it simply, learning to properly use digital resources is responsible internet behavior.

Cyberbullying



Courtesy to cyberreadi.pia.gov.ph

According to UNICEF Poll in September 2019, one in every three young people in 30 countries has reported being a victim of online bullying (UNICEF, 2019). *Cyberbullying* is the use of digital means of communication that could hurt or harass a person. Examples of this are sending hurtful texts or SNS messages, posting embarrassing photos or videos, and spreading mean or malicious rumors online. Such act or acts comprise cyberbullying if the offender does them intentionally and repeatedly, and should be addressed at once.

You must always protect your mental health. If cyberbullying happens to you, do not be afraid to seek help and defend yourself.